

UNITED STATES COURT OF APPEALS  
FOR THE THIRD CIRCUIT

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No. 08-4340

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PHILIP J. BERG, ESQUIRE,

Appellant

v.

BARACK HUSSEIN OBAMA, a/k/a BARRY SOETORO, a/k/a  
BARRY OBAMA, a/k/a BARACK DUNHAM, a/k/a  
BARRY DUNHAM; THE DEMOCRATIC NATIONAL COMMITTEE;  
THE FEDERAL ELECTION COMMISSION; THE SECRETARY OF THE  
COMMONWEALTH, PENNSYLVANIA DEPARTMENT OF STATE;  
PEDRO A. CORTÉS, Secretary of the Commonwealth in his official  
capacity; DIANNE FEINSTEIN, Chairman of the U.S. Senate, Commission  
on Rules and Administration in her official capacity; U.S. SENATE,  
COMMISSION ON RULES AND ADMINISTRATION;  
and DOES 1-50 INCLUSIVE

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On Appeal from the United States District Court  
for the Eastern District of Pennsylvania  
(D.C. Civil No. 2-08-cv-04083)  
District Judge: Hon. R. Barclay Surrick

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Before: SLOVITER, FUENTES and HARDIMAN, Circuit Judges

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JUDGMENT

This cause came on to be considered on the record from the United States District Court for the Eastern District of Pennsylvania and was submitted under Third Circuit LAR 34.1(a) on October 26, 2009.

On consideration whereof, it is now hereby ORDERED and ADJUDGED that the judgment of the District Court entered October 27, 2008, be and the same is hereby affirmed. Costs taxed against Appellant. All of the above in accordance with the opinion of this Court.

Attest:

DATED: November 12, 2009

Marcia M. Waldron  
Clerk

**Costs taxed in favor of Appellee as follows:**

**Brief.....\$ 20.40**

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Teste: *Marcia M. Waldron*  
Clerk, U.S. Court of Appeals for the Third Circuit